

1 The Honorable Robert S. Lasnik
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10 UNITED STATES DISTRICT COURT FOR THE
11
12 WESTERN DISTRICT OF WASHINGTON
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15 PHIMPHA THEPVONGSA, et al
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17 Plaintiff, NO. 2:10-cv-01045-RSL
18
19 v.
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21 Regional Trustee Services Corporation; Old
22 Republic Title Company LTD.; Ocwen Loan
23 Servicing LLC, Saxon Mortgage Services,
24 Mortgage Electronic Registration Systems,
Inc.; New Century Mortgage Corporation;
Deutsche Bank National Trust Company;
Mortgage Stanley ABS Capital I Inc.; Doe
Defendants 1 through 20

DEFENDANT REGIONAL TRUSTEE
SERVICES CORPORATION'S INITIAL
DISCLOSURES

25 I. WITNESSES
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27 Pursuant to Federal Rule of Civil Procedure 26(1)(A)(i), Defendant Regional Trustee Services
28 Corporation ("Regional") hereby discloses the following individuals who are likely to have
discoverable information that Regional may use to support its claims or defenses:

29 1. Phimpa Thepvongsa
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32 c/o Edward L. Mueller, Esq..
33 2050 112th Avenue N.E., Suite 110
34 Bellevue, WA 98004
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1 This witness is believed to have information regarding the circumstances surrounding
2 the default and 2007 loan documents in connection with real property located at 10722
3 18th Avenue Southwest, Seattle, WA 98146 during the period of time from 2007 to
4 present. This witness is also believed to have information regarding the specific
5 claims and defenses asserted in the lawsuit.

6 2. Deborah Kaufman, Vice President, Regional Trustee Services Corporation

7 c/o Nicolas Daluiso and Phillip E. Brenneman
8 Robinson Tait, P.S.
9 710 2nd Avenue, Suite 710
10 Seattle, WA 98104

11 This witness is believed to have information regarding the Notice of Default and
12 Notice of Trustee's Sale. This witness is also believed to have information regarding
13 the specific claims and defenses asserted in the lawsuit.

14 3. Representatives of Saxon Mortgage Services, Inc.

15 c/o David A. Weibel, Esq. and Barbara Bollero, Esq.
16 Bishop, White, Marshall & Weibel, P.S.
17 720 Olive Way, Suite 1201
18 Seattle, WA 98101

19 This witness is believed to have information regarding the circumstances of Plaintiff's
20 default and the loan documents in question. This witness is also believed to have
21 information regarding the specific claims and defenses asserted in the lawsuit.

22 4. Representatives of Ocwen Loan Servicing, LLC, Mortgage Electronic Registration
23 Systems, Inc. and Deutsche Bank National Trust Company as Trustee for the registered
24 holders of Morgan Stanley ABS Capital I Inc. Trust 2007-NC4 Mortgage Pass
25 Through Certificates

26 c/o Robert W. Norman, Jr., Esq.
27 Houser & Allison, APC
28 9970 Research Drive
Irvine, CA 92618

29 These witnesses are believed to have information regarding the circumstances of
30 Plaintiff's default and the loan documents in question. These witnesses are also
31 believed to have information regarding the specific claims and defenses asserted in the
32 lawsuit.

- 1 5. Regional hereby incorporates by reference any and all other parties' initial disclosures
- 2 and any and all witnesses identified therein as if fully set forth herein.
- 3 6. Regional hereby reserves the right to disclose additional witnesses when and as it
- 4 learns of them, or their relevant discoverable knowledge, through continued
- 5 investigation and discovery.
- 6 7. Regional and not yet retained and disclosed any expert witnesses. Information
- 7 concerning any witnesses who Regional may use to present evidence at trial, if any,
- 8 will be disclosed pursuant to FRCP 26(a)(2)(A).

10 II. DOCUMENTS

11 Pursuant to Federal Rule of Civil Procedure 26(1)(A)(ii), Defendant Regional may utilize the
12 following categories of documents to support its claim and defenses:

- 14 1. Foreclosure File (Maintained by Regional's Counsel)
- 15 2. Loan Origination File (Maintained by Saxon's Counsel)
- 16 3. Loan Servicing File (Maintained by Saxon's Counsel)
- 17 4. Regional hereby incorporates by reference any and all other parties' Initial Disclosures
- 18 and any and all documents identified therein as if fully set forth herein.
- 19 5. Regional reserves the right to amend and supplement these initial disclosures with
- 20 additional document designations at such time as the documents become known to
- 21 defendant.
- 22 6. Regional and not yet retained and disclosed any expert witnesses. Information
- 23 concerning documentation involving any witnesses who Regional may use to present
- 24 evidence at trial, if any, will be disclosed pursuant to FRCP 26(a)(2)(B).

III. DAMAGES

Pursuant to Federal Rule of Civil Procedure 26(1)(A)(iii), Defendant Regional discloses that they are defendants to this action and they are not asserting an affirmative claim for damages. That notwithstanding, Regional reserves the right to seek recover of the attorney's fees and costs incurred in the defense of this action.

IV. INSURANCE

Pursuant to Federal Rule of Civil Procedure 26(1)(A)(iv), Regional discloses that they are not covered by any insurance policy as contemplated by this subsection of Rule 26(a).

DATED this 13th day of April, 2011.

/s/ Phillip E. Brenneman
Nicolas A. Daluiso, #23505
Phillip E. Brenneman, #9219
Attorneys for Regional Trustee
Services Corporation